

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 16 2013

Wayne Lee Snell aka Blackbear

Plaintiff

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

vs.

Case Number:  
(To be supplied by Court Clerk)

13 CV - 789 TCK - FHM

SHERIFF HARLEN MOORE  
UNDERSHERIFF CARL SLOAN  
DELAWARE COUNTY OKLAHOMA  
SHERIFFS DEPARTMENT

Defendant(s)

Current Location (including Address) of Confinement :

Wayne Snell aka Blackbear  
P.O. Box 476  
Jay OK 74346

Prisoner Number:

434935

## CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983

## A. Parties

1) WAYNE SNEEL BLACKBEAR is a citizen of OKlahoma who presently resides at  
(Plaintiff) (State)

Delaware County Jail P.O. Box 476 Jay OK 74346  
(Mailing address or place of confinement)

2) Defendant HARLEN MOORE is a citizen of Jay, Oklahoma,  
(Name of first defendant) (City, State)  
and is employed as Sheriff of Delaware County.  
(Position and title, if any)

At the time the claim(s) alleged in this complaint arose, was this defendant acting under the color of state law? ☐ Yes ☒ No ?

If your answer is yes, briefly explain: \_\_\_\_\_

3) Defendant CARL SLOAN is a citizen of Jay Oklahoma,  
(Name of second defendant) (City, State)  
and is employed as Under Sheriff of Delaware County.  
(Position and title, if any)

At the time the claim(s) alleged in this complaint arose, was this defendant acting under the color of state law? ☐ Yes ☐ No

☒ Mail ☐ No Cert Svc ☐ No Orig Sign  
☐ C/J ☐ C/MJ ☐ C/Ret'd ☐ No Env  
☐ No Cpy's ☒ No Env/Cpy's ☐ O/J ☐ O/MJ

IFP/summons / writs  
in hold tray

If your answer is yes, briefly explain: \_\_\_\_\_

[You may attach one additional page (8 1/2" x 11") to furnish the above information for additional defendants.]

## B. Jurisdiction

1) Jurisdiction is asserted pursuant to: (Check one)

☒ 42 U.S.C. §1983 (applies to state prisoners)

☐ *Bivens v Six Unknown Named Agents of Fed. Bureau of Narcotics*  
403 U.S. 388 (1971) and 28 U.S.C. §1331 (applies to fed. prisoners)

2) Jurisdiction also is invoked pursuant to 28 U.S.C. §1343(a)(3). (If you wish to assert jurisdiction under different or additional statutes, you may list them below.)

\_\_\_\_\_  
N/A  
\_\_\_\_\_  
N/A

## C. Nature of Case

1) Briefly state the background of your case. Had a slip and fall in Delaware County jail shower, and tore tendons in left leg. I am filing this due to denied medical attention cause the Delaware County Jail won't give me serious medical Attention

## D. Cause of Action

1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: [If necessary, you may attach up to two additional pages (8 1/2" x 11") to explain any allegation or to list additional supporting facts.]

a) (1) Count I: Failed to seek more medical attention after Doctor said it needs more serious medical attention (surgery)

(2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

I Wayne Snell aka Blackbear was getting out of shower and slipped and tore tendons on 2/25/13 or 2/24/13 in Delaware County Jail Billy William Kidd was working and alerted jail administrator

b) (1) Count II: N/A  
N/A

- (2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

N/A  
N/A  
N/A

- c) (1) Count III: N/A  
N/A  
N/A

- (2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

N/A  
N/A  
N/A

### E. Request for Relief

- 1) I believe that I am entitled to the following relief: Hospital Bills, Pain and Suffering  
Lost wages, mental and physical distress 1.5 million dollars  
wages lost for not being able to work for rest of my life.

Original Signature of Attorney (if any)

Original Signature of Plaintiff

Attorney's full address and telephone number

**DECLARATION UNDER PENALTY OF PERJURY**

The undersigned declares (or certifies, verifies, or states) under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. §1746. 18 U.S.C. §1621.

Executed at DELAWARE COUNTY JAIL JAY OKLAHOMA on 12/10/13  
(Location) (Date)

Way-Sull AKA Blackbear  
(Original Signature of Plaintiff)



## (CAUSE OF ACTION) (Supporting Facts.)

1)(2) Bobby Hartley and Under Sheriff Carl Sloan. I was then escorted by undersheriff Carl Sloan to a medical center in Grove Oklahoma, where I was told I had some major damage, and needed more severe medical attention. I was then escorted back to Delaware County Jail where the jail administrator Bobby Hartley and Carl Sloan told me that I was gonna be O.R. Bonded out, on 2/25/13. I received no more medical attention and was let limp right out the door, and limped in agonizing pain all the way home in the rain to Kansas Oklahoma.

Wayne Shell.

Wayne Sull  
AKA Blackbear

CIVIL RIGHTS COMPLAINT PURSUANT TO 42 USC § 1983  
DELAWARE COUNTY OKLAHOMA SHERIFFS DEPARTMENT

Wayne Sull

Filed grievance about my leg on 11/20/13  
gave to Fromyer and received copy during church.

11/22/13 asked for lawyers phone numbers and  
asked to make personal call to them before lunch  
and Sgt Heather said per sheriff and undersheriff  
on phone outside in there booth unless it pertained  
to my case I was in here on, after I said it was  
personal and about medical problems.

Wayne Snell aka Blackbear was released on O.R. bond  
on 2/25/13 due to slip in shower causing to tear  
tendons in left leg. was taken to medical center  
in Grove OKla. and was told it had major damage and  
needed surgery. I recieved no more medical attention  
and was O.R. bonded out and let limp and walk out  
the door, had to walk home no ride.

Wayne Snell aka Blackbear was seen by Delaware County  
issued doctor on 11/14/13 and also was told I had  
major tear and needs surgery nothing further  
was scheduled. also was told by doctor after asked  
for some strong medication that he would do it  
and shouldnt have been a dumbass and got  
myself in here where I cant receive that kind  
of help. Sgt Heather and Amber was in booth  
when he said it



I Wayne Snell AKA Blackbear brought my medical problem of torn tendons in left leg to Sheriff Harlen Moore and under sheriff Carl Sloans attention during shakedown and bed exchange on 11/13/13 between the hours of 6:00pm and 10:00pm where all the inmates where on the wall and heard me tell him and all he, Harlen Moore and Sloan could say is I should have got it fixed before I came in here.

Wayne Snell / 12/11/13



DELAWARE COUNTY SHERIFF'S DEPT.GENERAL GRIEVANCE REPORT  
(PRINT OR WRITE CLEARLY)

Delaware County Medical Attention 11/19/13  
 NAME OF PERSON OR AREA COMPLAINED ABOUT: DATE AND TIME

Delaware County wont give me the correct medical Attention  
 ALLEGED VIOLATION OR CAUSE OF COMPLAINT:

11/14/13 Delaware County Jail  
 DATE AND TIME OF INCIDENT: LOCATION OF OCCURENCE:

Wayne Snell, Blackbear P.O. Box 644 Kansas OK 74347 N/A  
 YOUR NAME: ADDRESS: PHONE NO:

N/A  
 HAVE YOU FILED ON THIS PERSON OR AREA BEFORE: YES ☒ NO ☒ IF SO WHEN REASON

Josh Hawley  
 WITNESS:

Stephan Bagby Nathaniel J Sarks 79510 doc  
 WITNESS:

Marvin Tinnin  
 WITNESS:

Chris Reiche

EXPLAIN IN DETAIL

I have all three major tendons torn in left knee and am not able to get the right medical attention for it, or the right pain medications. I brought it to Sheriff Harlen Moores Attention on 11/13/13

but all he could say is I should have got it fixed on the outside. I had appointments but couldn't make them do to no ride. I had scheduled MRI and to see a specialist in tulsas. I would like to get those rescheduled, and to be seen by a correct Doctor where I can receive help, and surgery, and correct Pain medications

comes here told me  
have been a dumbass  
in here where I cant

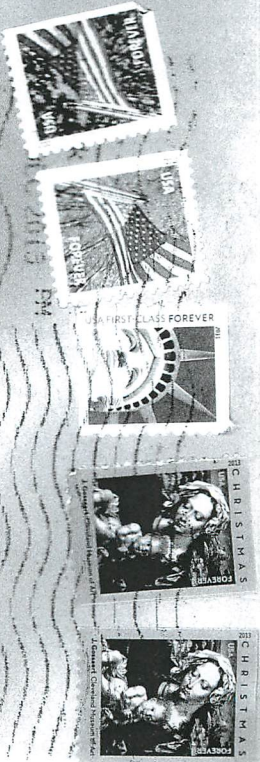
The Doctor that  
I shouldn't  
an gotten myself  
receive help



Thayne Snell  
P.O. Box 496  
Tulsa OK 74134

INMATE MAIL

Postmarked  
12/13/13-2



**RECEIVED**

DEC 16 2013

Phil Lombardi, Clerk  
U.S. DISTRICT COURT

Legal  
Mail  
**13 CV - 789 TCK - FHM**

INMATE MAIL

Clerk United States District Court  
Northern District of Oklahoma  
333 West Fourth Street, Room 411  
Tulsa Oklahoma 74103-3819